

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

CHRISTOPHER A. JONES,

Plaintiff,

v.

ROMEO ARANAS et al.,

Defendants.

Case No. 3:19-cv-00068-MMD-CLB

ORDER

This is an action on an amended civil rights complaint pursuant to 42 U.S.C. § 1983, removed from state court. The Court entered a screening order on November 22, 2019. (ECF No. 7). The screening order imposed a 90-day stay and the Court entered a subsequent order in which the parties were scheduled to attend a settlement conference. (ECF Nos. 7, 21). The Office of the Attorney General has filed a status report indicating that settlement has not been reached and informing the Court of its intent to proceed with this action. (ECF No. 27).

Plaintiff has also filed a motion to resolve the issues of the unserved defendants. (ECF No. 28). The Court denies the motion without prejudice. This order directs service upon the defendants and sets forth what to do if the Office of the Attorney General is unable to accept service for certain defendants.

IT IS THEREFORE ORDERED that:

1. The Clerk of the Court shall electronically **SERVE** a copy of this order and a copy of Plaintiff's amended complaint (ECF No. 6) on the Office of the Attorney General of the State of Nevada, by adding the Attorney General of the State of Nevada to the docket sheet. This does not indicate acceptance of service.

2. Service must be perfected within ninety (90) days from the date of this order pursuant to Fed. R. Civ. P. 4(m)

3. Subject to the findings of the screening order (ECF No. 7), within **twenty-**

1 **one (21) days** of the date of entry of this order, the Attorney General's Office shall file a
2 notice advising the Court and Plaintiff of: (a) the names of the defendants for whom it
3 accepts service; (b) the names of the defendants for whom it does not accept service,
4 and (c) the names of the defendants for whom it is filing the last-known-address
5 information under seal. As to any of the named defendants for whom the Attorney
6 General's Office cannot accept service, the Office shall file, *under seal*, but shall not serve
7 the inmate Plaintiff the last known address(es) of those defendant(s) for whom it has such
8 information. If the last known address of the defendant(s) is a post office box, the Attorney
9 General's Office shall attempt to obtain and provide the last known physical address(es).

10 4. If service cannot be accepted for any of the named defendant(s), Plaintiff
11 shall file a motion identifying the unserved defendant(s), requesting issuance of a
12 summons, and specifying a full name and address for the defendant(s). For the
13 defendant(s) as to which the Attorney General has not provided last-known-address
14 information, Plaintiff shall provide the full name and address for the defendant(s).

15 5. If the Attorney General accepts service of process for any named
16 defendant(s), such defendant(s) shall file and serve an answer or other response to the
17 amended complaint within **sixty (60) days** from the date of this order.

18 6. Henceforth, Plaintiff shall serve upon defendant(s) or, if an appearance has
19 been entered by counsel, upon their attorney(s), a copy of every pleading, motion or other
20 document submitted for consideration by the Court. Plaintiff shall include with the original
21 document submitted for filing a certificate stating the date that a true and correct copy of
22 the document was mailed or electronically filed to the defendants or counsel for the
23 defendants. If counsel has entered a notice of appearance, Plaintiff shall direct service
24 to the individual attorney named in the notice of appearance, at the physical or electronic
25 address stated therein. The Court may disregard any document received by a district
26 judge or magistrate judge which has not been filed with the Clerk of the Court, and any
27 document received by a district judge, magistrate judge, or the Clerk of the Court which
28 fails to include a certificate showing proper service.

1 7. This case is no longer stayed.

2 8. The motion to resolve the issues of unserved defendants (ECF No. 28) is
3 denied without prejudice.

4

5 DATED: June 29, 2020.

6

7


UNITED STATES MAGISTRATE JUDGE

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28